

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke *et al.*

Application No.: 09/755,016

Filed: January 5, 2001

Title: Novel Human Proteases and Polynucleotides
Encoding the Same

Attorney Docket No.: LEX-0114-USA



Group Art Unit: 1652

Examiner: C. Fronda

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Arlington, VA 22202

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JUN 24 2002

TECH CENTER 1600/2900

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("the Notice"), mailed May 21, 2002 in connection with the above-identified application. Applicants submit herewith: (i) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f) and (ii) a replacement paper copy of sequence listing as originally submitted. Applicants respectfully request the entry of the replacement paper copy of the Sequence Listing into the file.

With regard to the statement on the Notice regarding Applicants alleged failure to provide an initial copy of the Sequence Listing as a separate part of the disclosure on paper copy, as

evidenced by the return postcard received from the Patent and Trademark Office ("The Office").



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a copy of which is included herewith. Applicants submit that the request for an original paper copy of the Sequence Listing was made in error, or that the copy of the Sequence Listing as originally filed has been misplaced by the Office. Therefore, Applicants believe that an amendment, as requested in the Notice, is not necessary.

However, in order to attempt to comply with the Notice within the time period set for response, Applicants are submitting a replacement copy of the Sequence Listing, which was originally submitted with the application on January 5, 2001. The present document is a complete response to the Notice. Applicants believe that no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees to Deposit Account No. 50-0892. Should Examiner Fronda have any further questions concerning the present application, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

June 12, 2002
Date

Lance K. Ishimoto by David W. H. Lee
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3333



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Walke et al
U.S. Ser. No.: 09/755,016 Attorney Docket No.: LEX-0114-USA
Filing Date: January 5, 2001 Group Art Unit: 1652
For: Novel Human Proteases and Examiner: C. Fronda
Polynucleotides Encoding the Same

VERIFIED STATEMENT

Box Patent Application
Commission for Patents
Arlington, VA 22202

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Sir:

I, DRENDA D. THOMAS, do declare and state as follows:

1. I prepared a Sequence Listing in paper and computer readable form under 37 C.F.R. Sec. 1.821-1.825 in connection with the above-captioned patent application, both of which are being submitted herewith.

2. I hereby state that the contents of the paper and computer readable copies of the Sequence Listing are the same.

Signed,

Date

Drenda D. Thomas



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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 62 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

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- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

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